

To: Laidlaw, Tina[Laidlaw.Tina@epa.gov]
From: Suplee, Michael
Sent: Wed 3/15/2017 7:04:12 PM
Subject: better worded

Hi Tina;

I think this captures what it was I wanted the circular to say.

“Cases will arise in which a permittee is or has been discharging effluent with nitrogen and/or phosphorus concentrations lower than (i.e., better than) the minimum requirements of a general variance, but the resulting concentrations at the edge of the mixing zone still exceed the base numeric nutrient standards. Such permitted discharges are within the scope of the general variance, because the statute contemplates that a general variance is allowable if a permittee treats the discharge to, **at a minimum**, the concentrations in Table 12B-1. Therefore, for permittees whose effluent concentrations were, before July 1, 2017, lower than the concentrations in Table 12B-1, the general variance shall be based on the actual nutrient concentrations of their effluent. For permittees who, after July 1, 2017, attain or do better than the Table 12B-1 values, the Table 12B-1 values shall establish the permit limits.”